

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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In the Matter of )  
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Preparation for International )  
Telecommunication Union World )  
Radiocommunication Conferences )

IC Docket No. 94-31

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

REPLY COMMENTS OF  
AMERICAN MOBILE SATELLITE CORPORATION  
ON SECOND NOTICE OF INQUIRY

American Mobile Satellite Corporation ("AMSC") hereby submits its reply comments on the Second Notice of Inquiry ("Second NOI") in the above-referenced docket, concerning preparation for the 1995 and 1997 World Radiocommunication Conferences ("WRC-95" and "WRC-97").

In its initial comments, AMSC supported the following Commission recommendations for WRC-95:

- reallocating to generic MSS the service-specific MSS allocations at 1530-1559/1626.5-1660.5 MHz;
- expanding and improving existing MSS allocations at 1610-1626.5/2483.5-2500 MHz, 1492-1525 MHz, and 1675-1710 MHz; and
- adding a new MSS allocation at 2010-2025 MHz.

In addition, AMSC urged the U.S. to clarify that allocations for MSS service links will be on the agenda for WRC-97 and that Resolution 46 does not apply to geostationary MSS systems operating in the 1525-1559/1626.5-1660.5 MHz bands. AMSC also opposed reverse band operation by non-GSO MSS feeder links in the bands authorized for AMSC feederlink operations, without certain protection for AMSC. Finally, to better prepare for future conferences, AMSC also recommended that the Commission continue to improve its advance

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planning and its close cooperation with the private sector and with other government agencies, with the goal of having firm proposals in place at least six months before a conference begins.

There was significant support among the commenters for AMSC's positions. These reply comments, therefore, will be limited to two issues: the 2 GHz allocations; generic allocations in the 1525-1559/1626.5-1660.5 MHz bands, and the application of the maritime safety requirement in RR 726C to the 1525-1530/1626.5-1631.5 MHz bands.

2 GHz allocations. Only one party does not support the Commission's proposal for a primary, worldwide MSS allocation in the 2010-2025 MHz band at WRC-95.<sup>1/</sup> See Joint Comments of the Association for Maximum Service Television, Inc. and Other Major Television Broadcasting Entities ("Broadcasting Entities"), IC Docket No. 94-31 (March 6, 1995). The Broadcasting Entities suggest that the Commission wait until completion of the domestic allocation proceeding,<sup>2/</sup> and advance the proposal, if adopted, at a future WRC. AMSC disagrees with this approach. There is a severe shortage of useable spectrum for MSS around the world, and the U.S. should not miss the opportunity afforded by WRC-95 to seek additional MSS allocations at the international level. Moreover, without a worldwide or at least regional MSS allocation in the 2 GHz bands, the U.S. MSS industry will find it difficult to make the financial commitment necessary to implement such a costly technology. At least two U.S. entities, Celsat, Inc. and Personal Communications Satellite Corporation (an AMSC subsidiary), have filed applications with the Commission to construct and operate GSO

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<sup>1/</sup> Comments supporting the Commission's 2 GHz proposals were filed by AMSC, Iridium, Inc., TRW, Inc., Loral/Qualcomm Partnership, L.P., Constellation Communications, Inc. and Comsat Mobile Communications.

<sup>2/</sup> See Notice of Proposed Rulemaking, ET Docket No. 95-18, FCC 95-39 (January 31, 1995).

satellite systems in the 2 GHz bands, and both of these systems have been Advance Published with the ITU by the U.S. government.<sup>3/</sup> In addition, at least 26 foreign MSS systems (15 GSO and 11 non-GSO) have been Advance Published, including the much publicized Inmarsat P system, which can move forward without regard for the Commission's domestic proceeding. In any event, the key issue for the broadcast community is use of the spectrum in the United States, which will be resolved in the domestic proceeding and not by WRC-95.

AMSC also disagrees with the comments of Constellation Communications, Inc., which suggest that the 2 GHz bands be reserved for use solely by non-geostationary MSS systems. The majority of MSS systems Advance Published with the ITU for the 2 GHz bands are geostationary MSS systems (19 GSO versus 13 non-GSO) and there is no reason to limit the flexibility for the use of these bands. In any event, AMSC believes that the most efficient means of bringing MSS to the world, both financially and technically, is through GSO MSS systems. GSO systems can better direct satellite power to areas with the greatest traffic and are uniquely able to provide dispatch services over a large area. Alternatively, non-GSO systems are uniquely troubled by dynamic shadowing and blocking problems and have a substantial risk of in-orbit collisions due to the considerable debris in low-Earth orbit.<sup>4/</sup>

Generic Allocations. Comsat alone opposes generic MSS allocations in the 1525-1559/1626.5-1660.5 MHz bands. Comsat suggests that dedicated spectrum is needed for aeronautical and maritime communications. Comsat is wrong. The Commission should continue its longstanding policy to pursue generic MSS allocations in these bands, with the

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<sup>3/</sup> In order to preserve its options, the U.S. has Advance Published four GSO MSS networks and two non-GSO MSS networks in the 2 GHz allocations.

<sup>4/</sup> See Petition for Reconsideration of AMSC Subsidiary Corporation, CC Docket No. 92-166 (November 21, 1994).

appropriate protection for safety services (e.g. RRs 726C and 730C).<sup>5/</sup> Generic MSS allocations enhance spectrum utilization and efficiency, and facilitate the international coordination process.<sup>6/</sup>

1525-1530/1626.5-1631.5 MHz. Iridium, Inc. supports the removal of the requirement to protect maritime communications in the 1626.5-1631.5 MHz band,<sup>7/</sup> arguing that GMDSS is not provided in the band, that the footnote is not applied to the companion downlink band at 1525-1530 MHz, and that retention of the footnote limits use of the band to the Inmarsat system. AMSC disagrees with Iridium. Iridium overlooks the facts that the Radio Regulations (Article N38) include the 1626.5-1631.5 MHz band within the list of GMDSS bands and is consistent with the domestic allocation.<sup>8/</sup> Moreover, the United States (primarily through the Coast Guard) is reviewing the applicability of RR 726C to the 1525-1530 MHz band, with the likely result that the GMDSS requirement will be added to that band. Finally, AMSC fully expects that its MSS system (the first satellite of which was successfully launched April 7, 1995) will operate throughout the lower L-band, providing priority and preemptive access for maritime distress and safety communications and

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5/ Loral/Qualcomm, Constellation and TRW also support generic MSS allocations in these bands.

6/ See Comments of AMSC on Second Notice of Inquiry, at 5-7.

7/ RR 726C allocates the 1530-1544/1626.5-1645.5 bands (the "lower L-band") to MSS in the U.S. and six other countries, subject to the requirement that MSS systems operating in the band provide priority and preemptive access for maritime and distress and safety communications, and participate in the Global Maritime Distress and Safety System ("GMDSS") or operate on a secondary basis. Iridium does not recommend the removal of the GMDSS requirement from the 1530-1544/1631.5-1645.5 MHz bands.

8/ See First Report and Order and Further Notice of Proposed Rulemaking, 8 FCC Rcd 4246 (1993).

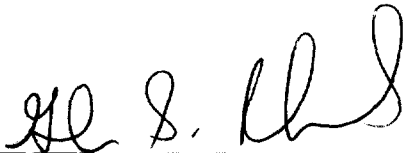
participating in the GMDSS. Therefore, AMSC urges the Commission to support the retention of the GMDSS requirement in the 1626.5-1631.5 MHz band and the inclusion of the GMDSS requirement in the 1525-1530 MHz band.

### **Conclusion**

AMSC recommends that the U.S. proposals for WRC-95 be consistent with AMSC's initial comments and the positions stated above.

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**CERTIFICATE OF SERVICE**

I, Leslie Anne Byers, hereby certify that I have this 14th day of April, 1995, mailed by first class United States mail, postage prepaid, copies of the foregoing "**REPLY COMMENTS OF AMERICAN MOBILE SATELLITE CORPORATION ON SECOND NOTICE OF INQUIRY**" to the following:

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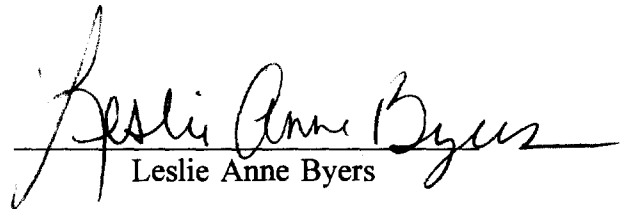
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